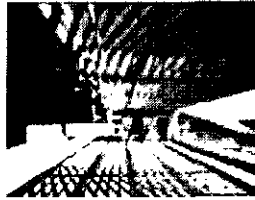


AGENDA

Thursday, June 11, 2009

The Austin City Council will convene at 10:00 AM on
Thursday, June 11, 2009 at Austin City Hall
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK
POSTING: DATE/TIME

2009 JUN 5 PM 5 03



Mayor Will Wynn
Mayor Pro Tem Brewster McCracken
Council Member Lee Leffingwell, Place 1
Council Member Mike Martinez, Place 2
Council Member Randi Shade, Place 3
Council Member Laura Morrison, Place 4
Council Member Sheryl Cole, Place 6

For meeting information, contact City Clerk, 974-2210

The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.

Reading and Action on Consent Agenda

Action on the Following:

Ordinances / Resolutions / Motions -

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9:55 AM -- Invocation

Deacon Robert Martinez, Sacred Heart Catholic Church

10:00 AM -- City Council Convenes

Approval of Minutes

1. Approve the amended Minutes of the Austin City Council May 14, 2009 meeting, the Minutes of the Special Called City Council May 18, 2009 meeting, and the Minutes of the Austin City Council May 21, 2009 Regular meeting.

Austin Energy

2. Authorize negotiation and execution of a 36-month lease agreement with Aspen Properties for office space at 8303 N. MoPac, Suite C-400, Austin, Texas, for the City of Austin's new Customer Information System project, in an amount not to exceed \$911,474 with two 12-month extension options in an amount not to exceed \$389,648 per extension option, for a total amount not to exceed \$1,690,770. Funding for original lease term and the extension options is contingent upon available funding in future budgets. Recommended by the Electric Utility Commission.
3. Approve the issuance of a Letter of Intent for a rebate to Strictly Pediatrics for the installation of a solar photovoltaic system at the project located at 1301 Barbara Jordan Blvd., Austin, Texas, in an amount not to exceed \$100,000. Funding is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.

Austin Water Utility

4. Approve a resolution authorizing the City Manager to enter into a Cooperative Agreement with the Bureau of Reclamation to accept approximately \$3,000,000 in grant funding for the Direct-Install Toilet Replacement Program and the Subsurface Leak Detection Program to include City matching funds in an amount not to exceed \$4,700,000. Funding is available in the amount of \$2,200,000 in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. Funding for the remaining grant matching funds is contingent upon available funding in future budgets. To be reviewed by the Water and Wastewater Commission on June 10, 2009.

City Clerk

5. Approve a resolution accepting Travis County's revised Certified Final Canvass Report.

Contract and Land Management

6. Authorize the acquisition for the Austin Clean Water Program: Govalle 1 South 2nd St. Re-route North Wastewater Project for an extension of a temporary staging area and material storage site easement of 23,625 square-feet of land out of Lot A, Resubdivision of Morky and Cameron subdivision number 2, situated in Travis County, Texas, according to the map or plat thereof, recorded in Volume 57, Page 99, of the Plat Records of Travis County, Texas located at 906 Banister Lane, from Robert E. Jenkins, Rockport, Aransas County, Texas in the amount not to exceed \$63,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility.
7. Authorize the fee simple acquisition of Lot 1, Block 3, of Bergstrom Downs No. 1, locally known as 734 Patton Ave, from SHIZUKO MARY UECKER for the Airport Noise Mitigation Program, in the amount of \$105,000 for the land and improvements, plus closing costs and moving related expenses in the amount of \$15,000, for an amount not to exceed \$120,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
8. Approve an ordinance authorizing the fee simple acquisition of Lot 8, Block 1, of Bergstrom Downs No. 1, locally known as 808 Patton Ave, from JOSE M. VELAZQUEZ and CELIA A. VELAZQUEZ for the Airport Noise Mitigation Program, in the amount of \$97,000 for the land and improvements and \$33,000 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$140,000, and waiving certain requirements of Chapter 14-3 (Relocation Benefits) of the City Code to allow payment of relocation benefits in accordance with federal regulations. Funding in the amount of \$140,000 is available in the Fiscal Year 2008-2009 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
9. Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC., (MBE/MH 82.57%), Austin, Texas for the 2009 Miscellaneous Bridge Maintenance Project in an amount not to exceed \$166,240. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Public Works Department. Lowest bid of three (3) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 82.57% MBE contractor participation and 17.43% WBE subcontractor participation.
10. Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC., (MBE/MH 93.65%), Austin, Texas for the Americans with Disabilities (ADA) Sidewalk and Ramp Improvements 2009 Group 7 City Wide in the amount of \$1,999,420.50 plus a \$199,942.05 contingency, for a total contract amount not to exceed \$2,199,362.55. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department. Lowest bid of six (6) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 3.39% MBE and 2.96% WBE subcontractor participation.
11. Approve the negotiation and execution of a 6-month lease renewal for 30,000 square feet of warehouse space for evidence storage by the Austin Police Department, located at 921 Reinli, from GOLDSTAR INVESTMENTS LTD, Austin, TX., in an amount not to exceed \$63,000. Funding in the amount of \$35,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Police Department. Funding for the remaining contract period is contingent upon available funding in future budgets.
12. Authorize negotiation and execution of a professional services agreement with HDR ENGINEERING, INC., Austin, TX, for planning services Integrated Solid Waste

Management Master Plan in an amount not to exceed \$1,500,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Solid Waste Services Department. Best qualification statement of three (3) statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation. To be reviewed by the Solid Waste Advisory Commission on June 10, 2009.

Convention Center

13. Authorize the negotiation and execution of a co-sponsorship agreement between the City and the Capital of Texas Public Telecommunications Council, KLRU TV-18/Austin, to sponsor the Austin City Limits concert series, from October 1, 2008 to September 31, 2011, in an amount not to exceed \$225,000 annually, for a total contract amount not to exceed \$657,000. Future years funding is contingent upon available funding in the future Operating Budgets of the Austin Convention Center.

Economic Growth & Redevelopment Services

14. Authorize execution of a 12-month Interlocal Agreement with THE UNIVERSITY OF TEXAS, PROFESSIONAL DEVELOPMENT CENTER, Austin, TX, to develop and deliver training to small business owners in an amount not to exceed \$165,000 with two additional 12-month extension options in an amount not to exceed \$165,000 per extension, for a total agreement amount not to exceed \$495,000. Funding in the amount of \$55,000 for the first 4-months of the contract period is available in the Fiscal Year 2008-2009 Operating Budget of the Economic Growth and Redevelopment Services Office. Funding for the remaining 8-months of the contract period and any extension option is contingent upon payment from current revenues available to the City.

Emergency Medical Services

15. Approve an ordinance amending the Fiscal Year 2008-2009 Emergency Medical Services Department Fee Schedule of Ordinance 20080908-006, to increase EMS patient transport and mileage fees and approve a discount base fee. Recommended by the Austin – Travis County EMS Advisory Board.

Fire

16. Approve an ordinance establishing classifications and positions in the classified service of the Fire Department, eliminating and creating certain positions, and repealing Ordinance No. 20081120-020 relating to Fire Department classifications and positions. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Fire Department.
17. Authorize negotiation and execution of an Interlocal Agreement between the City and Travis County Emergency Services District Number 4 for firefighter certification training at a cost to the City not to exceed \$33,000. This contract provides that the parties may agree in writing to renew this Agreement for an additional two-year term under the same terms and conditions, such renewal to be contingent upon sufficient funding. Funding in the amount of \$33,000 is included in the Fiscal Year 2008-2009 Operating Budget of the Austin Fire Department.

Health and Human Services

18. Approve an ordinance accepting \$30,601 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, HIV/STD PREVENTION AND CARE BRANCH; and amending the Fiscal Year 2008-2009 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$30,601 for the purposes of HIV/AIDS health education and prevention in Travis County and to add one full-time equivalent position. Funding is available from the Texas Department of

State Health Services, HIV/STD Prevention and Care Branch. The grant period is January 1, 2009 through December 31, 2009. No City match is required.

19. Approve an ordinance accepting \$14,507 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, INFECTIOUS DISEASE INTERVENTION AND CONTROL BRANCH; and amending the Fiscal Year 2008-2009 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$14,507 for the Refugee Health Screening Program. Funding is available from the Texas Department of State Health Services, Infectious Disease Intervention and Control Branch. The grant period is October 1, 2008 through September 30, 2009.
20. Approve negotiation and execution of Amendment No. 7 to the Interlocal Agreement between the City and Travis County to fund and administer the Summer Youth Employment Stipend program for the period October 1, 2008 through September 30, 2009 for an annual amount not to exceed \$562,554 (\$345,000 City; \$217,554 County). Funding in the amount of \$298,777 is available in the Fiscal Year 2008-2009 Operating Budget for the Health and Human Services Department. Funding in the amount of \$46,223 is available in the Fiscal Year 2008-2009 Operating Budget for the Human Resources Department. Funding in the amount of \$217,554 is available in the Fiscal Year 2008-2009 Operating Budget of the Health and Human Services Department from Travis County.
21. Authorize negotiation and execution of Amendment Number 8 to the Interlocal Agreement among the City, Travis County and the Travis County Juvenile Board to increase City funding for the Truancy Court Program to provide chronic truancy intervention by \$1,313 for a total annual amount not to exceed \$38,828, with one remaining 12-month renewal option in an amount not to exceed \$38,828, for a total contract amount not to exceed \$151,417. Funding in the amount of \$38,828 is included in the Fiscal Year 2008-2009 Operating Budget of the Health and Human Services Department. The term of the contract is October 1, 2008 through September 30, 2009. Funding for renewal options is contingent on available funding in future budgets.

Law

22. Approve an ordinance amending Ordinance No. 20071129-011, and Chapter 2-1 relating to city boards, and validating board members and board actions. Related to Item # 49.
23. Authorize negotiation and execution of an amendment to an outside legal contract with Denton, Navarro, Rocha & Bernal for legal services related to Austin Firefighters Association v. City of Austin and Travis County Emergency Services District No. 9, cause no. D-1-GN-08-003824 in the 98th Judicial District Court of Travis County Texas, in an amount of \$39,000, for a total contract amount not to exceed \$112,000 (concerns an Automatic Aid Agreement with ESD No. 9 and other similar Aid Agreements). Funding in the amount of \$39,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Liability Reserve Fund.

Purchasing Office

24. Authorize award, negotiation, and execution of Amendment No. 10 to a contract with AVAYA, INC., Oklahoma City, OK, for the purchase of telephone system equipment, software and services, to increase the contract in an amount not to exceed \$1,100,000, for a revised total contract amount not to exceed \$7,795,490. Funding in the amount of \$961,000 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. Funding in the amount of \$139,000 is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Electric Utility Commission.

25. Authorize award and execution of a contract with APPLIED BIOSYSTEMS, Foster City, CA for the purchase of a genetic analyzer for the Austin Police Department in an amount not to exceed \$88,923. Funding is available in the Austin Police Special Revenue Fund, 2008 Forensic DNA Backlog Reduction Grant 2008-DN-BX-K022. Sole Source. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
26. Authorize award and execution of a 36-month requirements supply contract with LAKE AUSTIN MARINA, Austin, TX to provide fuel for the public safety boats on Lake Austin in an estimated amount not to exceed \$189,150, with three 12-month extension options in estimated amounts not to exceed \$69,457 for the first extension option, \$72,930 for second extension option, and \$76,576 for the third extension option, for a total estimated contract amount not to exceed \$408,113. Funding in the amount \$15,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 33 months of the original contract and the extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
27. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BUYBOARD) with ONE STOP BUS STOP, INC., Irving, TX for the purchase of a 24-passenger bus in an amount not to exceed \$69,485. Funding is available in the Fiscal Year 2008-2009 Vehicle Acquisition Fund. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.
28. Authorize award and execution of a 12-month requirements supply contract through the State of Texas, Comptroller of Public Accounts (CPA) with SANOFI PASTEUR, Swiftwater, PA for influenza vaccine in an estimated amount not to exceed \$116,063. Funding is available in the Operating Budgets of the following departments: Health and Human Services Department, \$71,940; Human Resources Department, \$33,572; Austin Fire Department, \$7,674; and Emergency Medical Services Department, \$2,877. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.
29. Authorize award and execution of a 24-month requirements supply contract with ERGON ASPHALT & EMULSIONS, INC., Austin, TX, for the purchase of asphalt emulsions in an estimated amount not to exceed \$5,470,600, with two 12-month extension options in an estimated amount not to exceed \$2,735,300 per extension option, for a total estimated contract amount not to exceed \$10,941,200. Funding in the amount of \$911,767 is available in the Fiscal Year 2008-2009 Operating Budget of the Public Works-Transportation Department. Funding for the remaining 20 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
30. Authorize award and execution of a contract with BALAR EQUIPMENT, Houston, TX for the purchase of a step van equipped with storm drain line inspection television equipment in an amount not to exceed \$114,545. Funding in the amount of \$114,545 is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection and Development Review Department (WPDR). Sole Source. This contract will be awarded in

compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Telecommunications & Regulatory Affairs

31. Approve an ordinance amending Ordinance No. 20090312-015 relating to suspension of the proposed rates and tariffs by Texas Gas Service, a division of ONEOK, INC. Related to Item #68.

Transportation

32. Approve an ordinance repealing and replacing Chapter 12-3 of the City Code relating to Metered and Pay Station Parking. Reviewed by the Urban Transportation Commission.
33. Authorize the negotiation and execution of a Roadway Improvement Agreement with RREEF Domain, LP, to fund construction of Texas Department of Transportation (TxDOT) directional signage improvements along a portion of Loop 1. Funding in the amount of \$9,273 will be submitted to the City by RREEF Domain, LP for deposit into escrow. This includes \$8,073 that the City must pay to TxDOT to begin the work plus a 15% contingency and 5% for City of Austin administrative and indirect costs. Related to Item #34.
34. Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation (TxDOT), to provide funds for construction of roadway improvements along a portion of Loop 1, in the amount of \$8,073. Related to Item #33.
35. Approve an ordinance amending Section 12-4-64(D) of the City Code to add a portion of Norseman Terrace to the list of streets having a maximum speed limit of 20 miles per hour during certain times for students attending Wooldridge Elementary School. Funding in the amount of \$3,535.89 is available in the Fiscal Year 2008-2009 Child Safety Fund of the Department of Public Works.

Watershed Protection and Development Review

36. Consider an ordinance establishing site-specific development regulations for a property located at 328 Heartwood Dr. Related to Items #50, 72, and 73.

Item(s) from Council

37. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
38. Approve an ordinance amending the City Code to amend Section 2-1-25 (Public Financial Statements), add a new Section 2-1-171 (Public Safety Commission), and amend Subsection 2-7-72(C) (Reports). (Council Member Mike Martinez and Council Member Lee Leffingwell)
39. Approve a resolution creating the Austin Generation Resource Planning Task Force to examine and make recommendations regarding Austin Energy's generation resource plan. (Council Member Lee Leffingwell, Council Member Mike Martinez and Mayor Will Wynn)
40. Approve a resolution directing the City Manager to continue the incorporation of transparency as a core value in the design and execution of the City's new website. (Council Member Randi Shade and Council Member Lee Leffingwell)
41. Approve a resolution supporting the efforts of College Houses, Inc. and the North American Students of Cooperation Development Services to secure federal funding for the College Housing Loan Fund that would focus funds on housing for low-income

college students and allow cooperative student housing organizations to access those funds. (Council Member Laura Morrison and Council Member Lee Leffingwell)

42. Approve the waiver of certain requirements under City Code Chapter 14-8 for the street event related to the premiere of the film "Shorts" by Troublemaker Studios and the fund raising event for Thoughtful House which is to be held on August 1, 2009, in the 700 block of Congress Avenue. (Mayor Pro Tem Brewster McCracken and Council Member Mike Martinez)
43. Approve the waiver of certain fees and requirements for the Workers Defense Project (Protecto Defensa Laboral) event that will be held on July 14, 2009, at the Mexican American Cultural Center (MACC). (Council Member Mike Martinez and Council Member Laura Morrison)
44. Approve the waiver of certain fees and requirements for the United Way's Vivir Unidos event that will be held on June 18, 2009, at the Mexican American Cultural Center (MACC). (Council Member Mike Martinez and Mayor Will Wynn)
45. Approve the waiver of certain fees for the Blue Light Lapis performance of Impermanence that will be held on June 18, 2009, at the J.J Pickle Federal Building located at 300 E. 8th St. (Council Member Sheryl Cole, Mayor Will Wynn and Council Member Randi Shade)
46. Approve the waiver of certain fees for the Young Women's Christian Association (YWCA) use of Garrison Pool that will be held on July 9 and July 29, 2009. (Council Member Sheryl Cole, Council Member Randi Shade and Council Member Lee Leffingwell)

Item(s) to Set Public Hearing(s)

47. Set a public hearing to receive citizen comment on: 1) Draft five-year Consolidated Plan for Fiscal Years October 1, 2009 – September 30, 2014, as required by the U.S. Department of Housing and Urban Development; 2) the Draft Annual Fiscal Year 2009-10 Action Plan, as required by the U.S. Department of Housing and Urban Development; and 3) the Community Development 2009-10 Program, as required by the Texas Local Government Code Chapter 373. (Suggested date and time: June 18, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

10:30 AM -- Morning Briefings

48. Update on Fiscal Year 2009-2010 budget development process

12:00 PM -- Citizen Communications: General

Pat Valls-Trelles – Animal issues

Kelly Harris – Billboard in South Lamar

Girard Kinney – Billboards

David Edrich – Billboard ordinance

Rae Nadler-Olenick – Water fluoridation

Lynn Goodman-Strauss – Thank Chief Acevedo for a kinder and safer downtown

Ernest Auerbach – Billboard at Lamar Blvd.

Gus Peña – 1.To discuss the budget 2. Crime is on the increase; do not postpone any other police academy classes 3. Please fund fully all social service agencies, the need is greater 4. Improve communication with the public 5. Please support and help all military veterans with their needs, housing, mental health, PTSD and re-entry programs

Rodrigo Gonzalez- De-Cossio – Billboard ordinance

Molly Warnock – Interlude to Inspiration

Executive Session

49. Discuss legal issues relating to vacancies on City boards and commissions. (Private Consultation with Attorney - Section 551.071). Related to Item #22.
50. Discuss legal issues related to property located at 328 Heartwood, concerning: appeal of site plan disapproval; pending code enforcement action; permitting issues; and a floodplain variance request.(Private Consultation with Attorney - Section 551.071). Related to Items #36, 72, and 73.
51. Discuss legal issues relating to an appeal by the Highland/Skyview Neighborhood Plan Contact Team represented by Damon Howze, of the Planning Commission's decision to approve a Conditional Use Permit to allow operation of an Adult Lounge located at 6406 N. IH 35. (Private Consultation with Attorney - Section 551.071). Related to Item #71.

2:00 PM -- Briefings

52. Staff presentation on proposed amendments to tree regulations
53. Briefing on proposed Whisper Valley/Indian Hills Development Agreement affecting 2,340 acres of undeveloped land in the Desired Development Zone adjacent to State Highway 130

3:00 PM -- Austin Housing Finance Corporation Board of Directors Meeting

The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will re-convene (The AHFC agenda is temporarily located at <http://www.ci.austin.tx.us/agenda/council.htm>).

4:00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

54. NPA-2009-0018.01 – Highland Combined Neighborhood Planning Area Vertical Mixed Use (VMU) Neighborhood Plan Amendment – Approve second/third readings of an ordinance amending Ordinance No. 040513-30, the Brentwood/Highland Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the Future Land Use Map (FLUM) from Commercial and Office to Mixed Use and Mixed Use/Office on selected tracts within the Highland Neighborhood Planning Area, bounded by U.S. Highway 183 to the north, Lamar Boulevard to the west, Twin Crest Drive and Middle Fiskville Road to the east, and Koenig Lane to the south (Tannehill Creek, Waller Creek, Buttermilk Branch Watersheds). First reading approved on May 14, 2009. Vote: 7-0. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Victoria Craig, 974-2857.

55. C14-2009-0012 – Highland Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Highland Neighborhood Planning Area, bounded by U.S. Highway 183 to the north, Lamar Boulevard to the west, Twin Crest Drive and Middle Fiskville Road to the east, and Koenig Lane to the south (Tannehill Creek, Waller Creek, Buttermilk Branch Watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties located at from the overlay district. First reading approved on May 14, 2009. Vote: 7-0. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Victoria Craig, 974-2857.
56. C14-2007-0262 - Central Austin Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Central Austin Combined Neighborhood Planning Area, bounded by 45th Street on the north, IH-35 on the east, Martin Luther King, Jr. Boulevard on the south, excluding the University of Texas at Austin campus, and Lamar Boulevard on the west (Shoal Creek, Waller Creek watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Central Austin Combined Neighborhood Planning Area from the overlay district. First reading was approved on January 29, 2009. First reading for Tract 10 was approved on February 26, 2009. Second reading for all tracts was approved on March 5, 2009. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Minal Bhakta, 974-6453.
57. C14-2008-0183.SH - Lexington Parke - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as North of Pearce Lane and East of SH 130 (Onion Creek Watershed) from development reserve (DR) district zoning and single-family residence-small lot (SF-4A) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and multi-family residence-medium density (MF-3) district zoning for Tract 2 with conditions. First reading approved on May 21, 2009. Vote: 7-0. Applicant: Lexington 281, L.P. (Mehrdad Moayed). Agent: Kodiak Development (Brian Saathoff). City Staff: Wendy Rhoades, 974-7719.

4:00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

- 58 PH. C14-2009-0010 - Stoney Ridge Substation - Conduct a public hearing to approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7007 1/2 Heine Farm Road (Dry Creek East Watershed) from single-family residence-small lot (SF-4A) district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Planning Commission Recommendation: To be reviewed on June 9, 2009. Applicant: SR Development Inc. (William Gurasich). Agent: Austin Energy (Judy Fowler). City Staff: Wendy Rhoades, 974-7719.
- 59 PH. NPA-2009-0002.01 – East César Chávez Neighborhood Planning Area Vertical Mixed Use Neighborhood Plan Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 001214-20, the East César Chávez Neighborhood Plan, an

element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the Future Land Use Map (FLUM) from open space to mixed use on selected tracts within the East César Chávez Neighborhood Planning Area, bounded by the alley between East 6th Street and East Seventh Street to the north, Chicon Street to the east, Lady Bird Lake to the south and IH 35 to the west (Town Lake, Waller Creek Watersheds). Staff Recommendation: To approve mixed use on selected tracts. Planning Commission Recommendation: To approve mixed use on selected tracts. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Jacob Browning, 974-7657.

- 60 PH. C14-2009-0036 – East César Chávez Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the East César Chávez Neighborhood Planning Area, bounded by the alley between East 6th Street and East 7th Street to the north; Chicon Street to the east; Lady Bird Lake to the south; and IH 35 to the west (Town Lake; Waller Creek Watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties from the overlay district. Planning Commission Recommendation: To grant vertical mixed use (VMU) zoning with dimensional standards and additional uses in office districts. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Jacob Browning, 974-7657.
- 61 PH. C14-83-003.25(DE) Six Two Story Condos - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as FM 2222 Road (Bull Creek Watershed) from townhouse and condominium residence (SF-6) district zoning to townhouse and condominium residence (SF-6) district zoning to change a condition of zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning to change a condition of zoning. Applicant: Booth Family Trust (David Booth). Agent: Armbrust & Brown (David Armbrust). City Staff: Clark Patterson, 974-7691.
- 62 PH. C14-2009-0040 – Coronado Hills Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Coronado Hills Neighborhood Planning Area, bounded by Anderson Lane (U.S. Highway 183) to the north and to the east; U.S. Highway 290 to the south; and Cameron Road to the west (Buttermilk Branch, Fort Branch, Little Walnut Creek Watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district and to exclude certain tracts from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Greg Montes, 974-2629.
- 63 PH. C814-06-0175.02 - East Avenue PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3400 North IH-35 SVRD SB (Boggy Creek and Waller Creek Watersheds) from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning to

change a condition of zoning. Staff Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning to change a condition of zoning. Applicant: East Avenue IG, L.P. (Andy Sarwal). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Clark Patterson, 974-7691.

- 64 PH. C14-2008-0234 - ZFB, Ltd. Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9710 and 9718 Anderson Mill Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: Pohl Brown & Associates (William Pohl). Agent: Thrower Design (Ron Thrower). City Staff: Stephen Rye, 974-7604.
- 65 PH. C14-2009-0030 - Beal #1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1503 West Avenue (Shoal Creek Watershed) from family residence-historic landmark (SF-3-H) combining district zoning to limited office-mixed use-historic landmark (LO-MU-H) combining district zoning. Staff Recommendation: To grant limited office-mixed use-historic landmark (LO-MU-H) combining district zoning. Planning Commission Recommendation: To deny limited office-mixed use-historic landmark (LO-MU-H). Applicant: City of Austin, Contract and Land Management Department. Agent: Neighborhood Planning and Zoning Department. City Staff: Clark Patterson, 974-7691.
- 66 PH. C14-2009-0031 - The Moore Redbird Project - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 313 Red Bird Lane (Williamson Creek Watershed) from single-family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning with conditions. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning with conditions. Applicant and Agent: Leslie M. Moore. City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to this rezoning request.
- 67 PH. C14-2009-0038 - 11609 Anderson Mill Road - Conduct a public hearing to approve an ordinance amending Chapter 25-2 of the Austin City Code rezoning property locally known as 11609 Anderson Mill Road (Bull Creek Watershed) from development reserve (DR) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning with conditions. Applicant: Henry B. Mayes and Kathleen M. Mayes. Agent: Land Strategies, Inc. (Paul Linehan). City Staff: Sherri Sirwaitis, 974-3057.

5:30 PM -- Live Music


Kalu James


5:30 PM -- Proclamations

6:00 PM -- Public Hearings and Possible Actions

- 68 PH. Conduct a public hearing and consider an ordinance adopting new rates and tariffs for customers of Texas Gas Service. Related to Item #31.
- 69 PH. Conduct a public hearing and consider a resolution authorizing the use of approximately 30,865 square feet (0.71 acre) for a temporary staging and material storage site area for construction of a reclaimed water main for the Red River to UT Transmission Main Project through dedicated parkland known as the Hancock Golf Course, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board.
- 70 PH. Conduct a public hearing and consider a resolution authorizing the use of approximately 4,211 square feet (0.097 acre) for right-of-way use to allow for the construction of the West Gate Boulevard Extension Project from Cameron Loop to Cohoba Drive through dedicated parkland known as the Piney Bend Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board.
- 71 PH. Conduct a public hearing and consider an appeal by the Highland/Skyview Neighborhood Plan Contact Team represented by Damon Howze, of the Planning Commission's decision to approve a Conditional Use Permit to allow operation of an Adult Lounge located at 6406 N. IH 35, Unit 1100. The Planning Commission approved staff's recommendation to approve the Conditional Use Permit with conditions. Related to Item #51.
- 72 PH. Conduct a public hearing and consider an appeal by Ruben Rodriguez of the Planning Commission's decision to deny an appeal of an administrative disapproval of a site plan (328 Heartwood, SP-2008-0091D) for fill over 4 feet and construction of a retaining wall within the Critical Water Quality Zone of Williamson Creek. August 13, 2007: Board of Adjustment denied variance for a retaining wall and fence greater than 6 feet in height. September 10, 2008: Environmental Board recommended approval of the environmental variances. September 23, 2008: Planning Commission approved staff's recommendation to deny environmental variances. October 28, 2008: Planning Commission approved staff's recommendation to deny an appeal of administrative disapproval of a site plan. Related to Items #36, 50, and 73.
- 73 PH. Conduct a public hearing and consider an ordinance for floodplain variances requested by Mr. Aaron Googins, P.E., of King Engineering, Inc., on behalf of Mr. Ruben Rodriguez to retroactively allow the placement of fill and the construction of a retaining wall in the rear yard of the single-family residence at 328 Heartwood Drive in both the 25-year and 100-year floodplains of Williamson Creek. August 13, 2007: Board of Adjustment denied variance for a retaining wall and fence greater than 6 feet in height. September 10, 2008: Environmental Board recommended approval of the environmental variances. September 23, 2008: Planning Commission approved staff's recommendation to deny environmental variances. October 28, 2008: Planning Commission approved staff's recommendation to deny an appeal of administrative disapproval of a site plan. Related to Items #36, 50, and 72.
- 74 PH. Conduct a public hearing and approve third reading of an ordinance amending Title 25 of the City Code relating to the Waterfront Overlay Combining District; and Chapter 2-1 related to the Waterfront Planning Advisory Board. Recommended by Waterfront Overlay Task Force, Design Commission, Environmental Board, Parks Board and Planning Commission. Reviewed by Downtown Commission and Zoning and Platting Commission.
- 75 PH. Conduct a public hearing and consider an ordinance adopting the City of Austin 2009 Bicycle Plan Update as an element of the Austin Tomorrow Comprehensive Plan.

Adjourn

 The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

 For assistance please call 974-2210 OR 974-2445 TDD.

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.

2009 Austin City Council Meeting Dates

MEETINGS	CANCELLED DATES
	January 1, 2009
	January 8, 2009
January 15, 2009	
	January 22, 2009
January 29, 2009	
	February 5, 2009
February 12, 2009	
	February 19, 2009
February 26, 2009	
March 5, 2009	
March 12, 2009	
	March 19, 2009
March 26, 2009	
April 2, 2009	
	April 9, 2009
	April 16, 2009
April 23, 2009	
April 30, 2009	
	May 7, 2009
May 14, 2009	
May 21, 2009	
	May 28, 2009
	June 4, 2009
June 11, 2009	
June 18, 2009	
	June 25, 2009
	July 2, 2009
	July 9, 2009
	July 16, 2009
July 23, 2009	
	July 30, 2009
August 6, 2009	
	August 13, 2009
August 20, 2009	
August 27, 2009	
	September 3, 2009
	September 10, 2009
September 14, 15 and 16, 2009 (Budget Readings)	
	September 17, 2009
September 24, 2009	
October 1, 2009	
	October 8, 2009
October 15, 2009	
October 22, 2009	
	October 29, 2009
November 5, 2009	
	November 12, 2009
November 19, 2009	
	November 26, 2009
	December 3, 2009
December 10, 2009	
December 17, 2009	
	December 24, 2009
	December 31, 2009